

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOMAR OIL LLC, et al.,

Plaintiffs,

V.

ENERGYTEC INC., et al.,

Defendants,

V.

RAYMOND J. VULA and JOHN J. PETITO,

Third-Party Defendants. §

Civil Action No. **3:07-CV-1782-L**


ORDER

Before the court is the parties' status report, filed February 10, 2010. The status report states that the "parties could not come to an agreement with respect to a proposed discovery plan." Plaintiffs submit a proposed discovery plan. Defendants Energytec, Inc., Dorteia Krempein, Paul Willingham, Eric Brewster, Ben T. Benedum, B. Charles Spradlin, and Massoud Metghalchi "submit that discovery, including initial disclosures, is not appropriate until the bankruptcy stay is lifted and the matter is concluded, at which point the parties and the court will be able to assess what, if anything, remains of the case." Status Report (Feb. 10, 2010) 2.

On May 15, 2009, the court stayed the claims against Defendant Energytec pursuant to 11 U.S.C. § 362(a). In light of the parties' status report, the court determines that it is appropriate to stay the remaining claims brought by Plaintiffs and third-party claims brought by Third-Party Plaintiffs. Accordingly, there appears to be no further reason at this time to maintain this case as

an open file for statistical purposes, and the court **determines** that it should be, and is hereby, **administratively closed**. The United States District Clerk is **instructed** to submit JS-6 form to the Administrative Office, thereby removing this case from the statistical records. Nothing in this order shall be considered a dismissal or disposition of this case, and, should further proceedings in it become necessary or desirable, any party or the court may initiate such further proceedings in the same manner as if this order had not been entered. The parties are **directed** to move to reopen this case within thirty days of the conclusion of the bankruptcy proceedings or the lift of the bankruptcy stay.

It is so ordered this 19th day of February, 2010.


Sam A. Lindsay
United States District Judge